

### **REMARKS**

This is in response to the final rejection set forth in the Office Action dated July 23, 2008.

In the Office Action the Examiner has maintained the rejection of Claims 24-34 and 36, under 35 U.S.C. § 103, based on U.S. Patent No. 5,491,418 to Alfaro et al. in view of EPA420-R-00-017 for Mitcham et al.

In the response to arguments, the Examiner has referenced column 3, lines 10-24 Alfaro to support the view that Alfaro discloses the use of only “one connector adapter per type of vehicle connector being connected to.” The Examiner further indicates a view that Alfaro discloses “that information such as make and model **may** be included in the vehicle connector but this would apply to only older vehicles where the manufacturer only used that one specific adapter on one specific model.”

Applicant notes that the referenced portion of the Alfaro reference relates to the front connector portion of the adapter disclosed in Alfaro. The referenced portion of Alfaro states:

Furthermore, the diagnostic tool is transportable between different automotive vehicles which may employ different communication protocols and have different connectors for interfacing with diagnostic tools. To accommodate such varying connectors, connector adapters are provided in this embodiment, all having a Burndy type connector on the front connector portion thereof, and each having a different connector type on the rear connector portion thereof. For example, the rear connector portion illustrated in FIG. 3 may be other than the S.A.E. J 1962 type connector. The rear connector portion may be configured in accord with conventional connector types used in automotive vehicles for diagnostic communications. The extent and variety of such connectors should only be limited by the number of diagnostic connector types available in the art for diagnosing electronic devices on automotive vehicles. The number of connector pins and the configuration of the pins of the rear connector portion may vary significantly from adapter to adapter, while all having common connector type on the front connector portion. [emphasis added] [Col. 3, Lines 10-28]

Alfaro goes on to note that each adapter is provided with a circuit element that serves to identify the device or vehicle connected to the adapter.

Common to each adapter in accord with this invention is the adapter circuit element 22, provided to identify the device or vehicle connected to the rear connector portion of the adapter. As described, each automotive vehicle or electronic device to be diagnosed through communication across adapter 10 may have a dedicated diagnostic communications interface, and thus may have a dedicated connector adapter, such as adapter 10. To provide specific identification of the device or vehicle to be diagnosed, the device-specific or vehicle-specific circuit element 22 is provided, such as a circuit element having an amount of electrical resistance, capacitance, or conductance that is unique to the device or vehicle that may be interfaced through the rear connector portion of the corresponding connector adapter. [emphasis added]  
[Col. 3, Lines 48-55]

In short, Applicant respectfully submits that the Alfaro reference does not disclose or suggest the use of a single adapter for a whole range of vehicles. Instead, it suggests a device-specific, or vehicle-specific adapter, which may have a front connector portion that is common to other adapters. The device may also include a rear connector portion that may be configured in accord with conventional connector types. However, there is no indication in Alfaro that the identifying element included in each adapter, i.e., circuit element 22, would be common to a range of different type vehicles.

The process set forth in Applicant's claims specifies identifying features of the connector, which identifying features are correlated to an automotive diagnostic standard that is applicable to a wide range of vehicles. As previously noted, Alfaro does not disclose or suggest such methodology. More particularly, the portion of Alfaro referred to in the Examiner's Response to Arguments, i.e., the use of connector portions that may be common to multiple connectors does not alter the fact that the only adaptors disclosed in Alfaro include device or vehicle-specific elements, which distinguish the use of Alfaro adaptors from Applicant's invention.

Accordingly, reconsideration of the rejection is respectfully requested.

Application No.: 10/779,985  
Response to Office Action dated February 26, 2008  
Attorney Docket: EQUUS-106A

If any additional fee is required, please charge Deposit Account Number 19-4330.

Respectfully submitted,

Date: July 29, 2008 By:

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